



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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DEC 18 2002

Paper No. 12

In re Application of
Barry L. Rauworth *et al*
Application No. 09/960,606
Filed: September 21, 2001
Attorney Docket No. 2267.398US03

: DECISION ON PETITION
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This is a decision on the petition filed by facsimile transmission on November 6, 2002, by which petitioners have requested that the above captioned application be accorded special status for advanced examination out of turn. The \$130.00 petition fee has been received.

The petition is granted.

Petitioners' request special status based upon the practice established at MPEP § 708.02(II), Infringement. A review of the petition shows that petitioners have clearly met the requirements for a showing in support of a petition to make special based upon the existence of an infringing device.

Accordingly, the examiner will treat this application as special throughout its prosecution. Prior to the next action on the merits, the examiner will conduct a rigorous search for potentially interfering applications. The interference search will be brought up to date prior to each successive action.

The application is being forwarded to the Supervisory Patent Examiner of Patent Examining Art Unit 3727, who will forward the application to the examiner for action consistent with this Decision.

PETITION GRANTED.



Stephen Marcus, Special Program Examiner
Patent Examining Groups 3710 and 3720

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